

Dear Chair Hardy:

Thank you for your email about H.482 and inquiring whether and how the bill relates to Department of Public Safety work in progress.

I am a Policy and Training Consultant with the Department of Public Safety (DPS) and I am replying to your email on behalf of DPS.

DPS is involved in ongoing work that overlaps with H.482. Specifically, we are preparing reports requested by the legislature pursuant to [2022 Act 161](#) (S.250) and [2022 Act 106](#) (H.635)

There is nothing in H.482 that conflicts with our ongoing work or preliminary recommendations. However, any additional legislative directive would be redundant to the work already well underway, the results of which the legislature will receive in a few months.

Thank you for inviting DPS to testify. At this time, DPS does not think live witness testimony is necessary.

Below you will find additional information about the Department's work on [2022 Act 161](#) (S.250) and [2022 Act 106](#) (H.635).

### **[2022 Act 161](#) (S.250)**

[2022 Act 161](#), section 1a (S.250) requires the Department of Public Safety to submit a report on or before November 1, 2023, to the House and Senate Committees on Government Operations and the Judiciary, and the Executive Director of Racial Equity, concerning the ability of law enforcement agencies to collect data during law enforcement encounters.

The report is required to specify the following:

1. The data currently collected, including law enforcement's capabilities and methods of collection;
2. Any suggested data collection criteria;
3. Any impediments to collecting data;
4. Proposed remedies to resolve any impediments; and
5. A recommended definition of "law enforcement encounter."

Last summer, the Department of Public Safety convened a working group to assist in the preparation of the report. Those invited to participate included:

<b>Name</b>	<b>Title</b>	<b>Affiliation</b>
Mark Anderson	Sheriff	Windham County
Kevin Andrews	Captain	Department of Motor Vehicles
Christopher Brickell	Deputy Director	Vermont Criminal Justice Council
Xusana Davis	Executive Director	Office of Racial Equity
Jennifer Frank	Chief of Police	Town of Windsor, Vermont
Karen Gennette	Executive Director	Crime Research Group
Jay Greene	Policy and Research Analyst	Office of Racial Equity
Robin Joy	Director of Research	Crime Research Group
Barbara Kessler	Captain/Co-Director	Vermont State Police/Fair and Impartial Policing
Brandon King	Lt./Executive Officer	Vermont Department of Liquor and Lottery, Office of Compliance and Enforcement
Kristin McClure	Chief Data Officer	Agency of Digital Services, Data Management Division
Shelly Miner		Agency of Digital Services
Etan Nasreddin-Longo	Chair	Racial Disparities Advisory Panel
Josiah Raiche	Senior Software Developer	Agency of Digital Services
Brian Searles	Member	Vermont Criminal Justice Council
Justin Stedman	Deputy Chief	Department of Fish and Wildlife
Betty Wheeler	System Administrator	Agency of Digital Services
Wilda White	Policy and Training Consultant	Department of Public Safety
Many Wooster	Executive Director of Policy Development	Department of Public Safety

The work group has met regularly since July 2022. The work group has also consulted with academicians, a law enforcement agency chief, the National Policing Institute, and the research director at Colorado’s Department of Public Safety.

The work group has had extensive and rich discussions about the challenges and drawbacks of collecting race and gender data (whether actual or perceived) and has arrived at some preliminary recommendations in this regard. The work group has also agreed to some preliminary recommendations about roadside data collection criteria.

[2022 Act 106 \(H.635\)](#)

[2022 Act 106 \(H.635\)](#) requires the Executive Director of Racial Equity, the Commissioner of Motor Vehicles, and the Commissioner of Public Safety to jointly examine all motor vehicle violations for the purpose of making recommendations on whether or not statutes should be repealed, modified, or limited to secondary enforcement. The Executive Director and Commissioners jointly provided an interim report to the House and Senate Committees on Judiciary and on Transportation on January 15, 2023. A final written report is due to the committees on or before October 1, 2023.

A complete review of motor vehicle violations has been conducted and future recommendations submitted will focus on traffic statute, gender neutral language, and community engagement opportunities.

The Department of Public Safety convened a working group on June 17, 2022, to facilitate the review of motor vehicle violations in preparation of the required report. The working group has met bi-weekly to provide recommendations on Title 23 motor vehicle violations to repeal, modify, or limit to secondary enforcement. The [Judicial Bureau Waiver Penalties](#) guided the review of all statutes. The working group has identified 35 recommendations for consideration. Members invited to participated included:

<b>Member</b>	<b>Title</b>	<b>Affiliation</b>
Kevin Andrews	Captain, Enforcement and Safety Division	Department of Motor Vehicles
Xusana Davis	Executive Director of Racial Equity	Office of Racial Equity
Anthony Facos	Executive Director of Enforcement and Safety Division	Department of Motor Vehicles
Jay Greene	Policy & Research Analyst	Office of Racial Equity
Barbara Kessler	Co-Director of Fair and Impartial Policing / Captain	Vermont State Police
Gordon Landrigan	Assistant Attorney General	Department of Motor Vehicles
Etan Nasreddin-Longo	Co-Director of Fair and Impartial Policing	Department of Public Safety
Ian Louras	Intern	Office of Racial Equity
Wanda Minoli	Commissioner	Department of Motor Vehicles
Jennifer Morrison	Commissioner	Department of Public Safety
Paul Ravelin	Acting Lieutenant, Traffic Safety Unit	Vermont State Police

Matthew Rousseau	Chief of Driver Improvement	Department of Motor Vehicles
Eric Shepard	Sergeant	Williston Police Department
Michael Smith	Deputy Commissioner	Department of Motor Vehicles
Mandy Wooster	Executive Director of Policy Development	Department of Public Safety

Thank you.



Wilda L. White, Policy and Training Consultant  
State of Vermont  
Department of Public Safety